

CITY OF UNION, KENTUCKY
Regular Business Meeting
MINUTES
Monday, February 1, 2010

CALL TO ORDER: Regular Business Meeting

Mayor Don Kirby called to order the Regular Business Meeting for the Union City Commission on Monday, February 1, 2010 at 7:00 p.m.

Present: Mayor Don Kirby, City Commissioners Bob Kelly, John Adams, Todd Sayers, and John Mefford. Also, City Attorney Greg Voss, City Engineer Barry Burke, (FOPPE Technical Group). City Clerk/Treasurer Kathy Porter. One (1) citizen signed the attendance sheet.

MINUTES: (All City Commissioners were provided a copy prior to tonight's meeting)

Commissioner Adams moved to accept the REGULAR BUSINESS MEETING MINUTES with correction to page 2 changing the word "tax" to "sewer" before bills in paragraph 6, last line of Monday, January 4, 2010 and the motion was seconded by Commissioner Adams. **Motion carried.**

TREASURER'S REPORT: Commissioner Mefford moved to accept the Treasurer's Report as of January 31, 2010 as presented. Commissioner Adams seconded the motion. **Motion carried.**

UNION CARES PROGRAM – February – NKCAC – Karen Franxman

Ms. Judy Boggs from the NKCAC spoke to the commission. She gave an overview of the center and its mission. This is the only food bank in Boone County. She went over the wish list for the center.

Mayor Kirby explained to the audience how the city is involved with this program and how each month we have a different organization that we are supporting.

Karen spoke about how the Union residents are supporting the charities.

CORRESPONDENCE: None Presented.

NEW BUSINESS – Attorney Voss introduced Attorney Jim Parsons and Mike Apgar from Sanitation District One (SD#1) who have come to the meeting to speak regarding the Storm Water Transfer Agreement. Mr. Parsons gave some background on the agreement. In 1994 some legislation was adopted that states that any city in Northern Kentucky, within the urbanized area, all sanitary systems would be transferred to SD1 unless the city objected to it. Most cities went ahead and transferred the systems.

Attorney Voss asked Mr. Parsons about the Cold Springs Litigation. Mr. Parsons said that of the 33 communities that were part of the Storm Water Agreement 26 have already approved the transfer. SD1 is already maintaining half of those that have approved the transfer. Mr. Parsons said the agreement was sent out in June, as a result SD1 had meetings with the cities and the current agreement has been amended. All cities that had approved prior to any amendments will have the agreement amended. The Cold Spring issue is moving forward.

Mayor Kirby asked how we will be able to resolve the issues of our citizens. Will the citizen still come to us and then we send the issues to SD1. Mr. Parsons stated that once the agreement had been signed an employee would come out to review any issues that you know of. Mr. Parsons said that the residents can call SD1 directly.

Mr. Burke spoke with Mr. Parsons about the legal process of subdivision platting for the dedication of storm sewers and discharge control structures to public use. Mr. Parsons stated that he had already dealt with the issue. Mr. Parsons said he would work with the Boone County Planning Commission concerning any modified wordage regarding the platting issue for new record plattes.

Mr. Burke mentioned the Wet Pond behind Krogers', which continues to silt up causing significant seasonal concerns for the common and abutting property owners. Mr. Burke mentioned this pond and the 66" discharge sewer beneath the parking lot is private and since SD1 has mapped the only control structure for acceptance, the city with input from the residents is searching for an acceptable solution. Attorney Voss cautioned that any work on the pond must be approved

**UNION CITY COMMISSION
MINUTES – Monday, February 1, 2010
PAGE 2**

by the property owners, since no public dedication was made. Mr. Burke asked that if we worked with the property owners and NKU (which may have some grant money) to turn the wet pond into a dry pond if we could transfer that with the agreement, in the future? Mr. Parsons said that could happen.

CITIZENS WISHING TO SPEAK:

No one wished to speak.

PLANNING & ZONING: *Jim Longano - Planning and Zoning Union Representative*

Mr. Longano was not in attendance. No new business to report.

CITY ENGINEER REPORT: Mr. Burke referenced his detailed City Engineering Report of 17 issues and summarized the following issues. Mr. Burke spoke about the city's sanitary sewer system. Phase C is now ninety-nine point five percent (99.5%) complete; and. Phase A & B is about eighty -five percent (85%) complete. Mr. Burke overviewed the bold highlighted parts in his report.

Regarding Sanitary Sewer Systems Phase C Item #1 (b) (1). Mr. Klus at 10151 Russwill has been tapped – in. Final restoration of the property is to be completed by G&T in the spring.

The next issue Mr. Burke spoke about was Item #1. (b) (2). Mr. Allen at 10021 Russwill - a second structural engineer opinion or compensation is being considered.

The next Item Mr. Burke spoke about was Item #1 (b) (5). Mr. Kojima at 10104 Russwill. Final restoration is all that is still needed.

Regarding Item #1 (b) (6) - Mr. Dwelly at 10109 Russwill the legal easement for compensation is still pending by the court. Attorney Voss is working with the attorney for Mr. Dwelly.

Regarding Item #1 (b) (8) – Ms. Wagner at 10066 Russwill there is still some restoration that needs to be completed.

The next issue Mr. Burke spoke about was Item #1 (b) (13) – Mr. Hedgecock at 10118 Russwill. The plumber covered up a stream at rear of Mr. Kojima's property. Mr. Burke will work with plumber Ed Morehead or others to correct this situation.

Regarding Sanitary Sewer Systems Phases A&B Item #1 (c) we are currently moving forward. Subsection (2) of this Item states that Record Copies of Drawings (RCD) have been submitted to the Sanitation District No. 1. This is the area north of Mt. Zion Road between Old Union Road and the Relocated US 42. Also, we have completed another set of RCD drawings (Subsection (4). This section includes the area south of Mt. Zion Road between Old Union Road and Relocated US. 42. These Drawings were submitted to SD#1 on 12/08/09. Tap-In letters will be sent to the benefitted users following final approval of the required sewer testing as required and authorized by SD#1.

Item #1(c) (5).Mr. Burke mentioned that the Hathaway Road (SR 536) Jack & Bore under the roadway. This work is in physical conflict with a water main & storm sewer. Mr. Burke is working on alternatives to sewer the three (3) properties from the south, subject to SD1 approval and another easement from Volpenhein.

The next Item Mr. Burke spoke about is Item #1 (d) the budget status. Phase C is 100% complete, as authorized and is \$5,118.45 under budget. This includes all Change Orders amounting to \$26,713.75. The remaining retainage fees of \$1,879.43 will be paid as soon as the remaining work is complete regarding restorations for Mr. Klus, Ms. Wagner, Mr. Kojima & Mr. Hedgecock and fence replacement for Mr. Dwelly.

Regarding the status of the KIA Fund "C" loan request agreement Mr. Burke put together the packet of the documents required and submitted to city staff for the Mayor's signature to be mailed. Kathy Porter stated that the packet has been mailed.

**UNION CITY COMMISSION
MINUTES – Monday, February 1, 2010
PAGE 3**

Item #1 (d) – Tap-In Sewer Assessments & Violation – Phase C- Several residents are not yet tapped in, however, SD1 will begin placing the assessments on there sewer bills in February. This will encourage these residents to connect in accord with the city’s ordinance.

Item #4 (i) – Received a call from Ms. Tanya Tavis who lives on 2029 Arbor Springs. She is lives on a bend in the street and her brick mailbox has been hit several times and presently lies within the grass strip of the ROW. Although we have completed speed studies and traffic calming devices have been recommended, these devices may not help regarding the fallen mailbox.

Item #13 – Storm Drainage Complaints – Ms. Nantz having complained about her neighbors extending a roof leader pipe toward her property, the neighbor had complained concerning her regarding barking dogs and multiple vehicles and other debris on her lawn. Mr. Burke discussed this with the county and two letters have been mailed to her with no response. However, she spoke with Mr. Burke and is in the process of resolving the issues.

Regarding Item #14 the Double Eagle Drive Catch Basins. There are about four (4) to six (6) basins which will require repairs in the future. The question is when will they become unsafe. This issue may be resolved if the transfer agreement with SD#1 is signed. Mr. Burke received some costs for four (4) of the catch basins. The contractor submitted a quote of \$3,400.00 to repair each catch basin. One (1) catch basin along the south side of Double Eagle Drive just west of the access drive to the athletic fields has settled is collapsing and is unsafe. Mr. Burke recommends that we repair this one and the other three can wait until SD1 takes over the storm sewers. Combining the repairs for this basin with a nearby curb repair, the total costs would be less than the \$4,000.00 estimated by the contractor. Since approval of the agreement by SD1 may be as many as six (6) weeks away, the city commission directed Mr. Burke to move forward to repair the catch basin requiring immediate repair.

Item #15 Drainage Problem at 2047 Hathaway Road, Mr. David Brun’s property. Mr. Brun has worked out the situation with his neighbor.

Item #16 Input from resident Andy Rosen about a pothole fronting 1221 Napa Ridge Court. Mr. Burke called Boone County and they repaired this one (1) and another at Lancashire Drive entrance the same day.

Item #17 Steep rear yard slope complaint – 1707 Napa Ridge Court (Gehlers’). Mr. Burke took photos on January 21st. The city is not responsible for the pre-existing final grades as a part of construction. Mr. Burke informed the resident of the city’s position.

COMMISSIONER OF PUBLIC WORKS/UNION VISIONING COMMITTEE: *Bob Kelly-Commissioner of Public Works;* Mr. Kelly mentioned the auto accident on US 42 which took out three trees. Currently working with the insurance company and several nurseries for replacement of the trees. Snow removal still going well. No complaints or concerns so far.

Mr. Kelly sent an e-mail to State Representative Sal Santoro about the Mt. Zion Road relocation. He responded by e-mail saying that this the top project but it was still early in the budget process. For the Visioning Committee they received correspondence from YMCA coming to Union. Mr. Kelly read a letter that he received from them. They are planning a Task Force to help develop further plans.

CITY EVENTS COORDINATOR: Karen Franxman spoke about the Union Community Building. Mentioned that there is no phone service at the community building for emergency. She has received two quotes, one from Cincinnati Bell and one from Insight. The one from Cincinnati Bell was \$39.99 per month plus taxes and surcharges. The quote from Insight was a package which includes phone, internet, and cable for \$161.40 per month. You cannot just get a phone from Insight. Mayor Kirby said to just get the Cincinnati Bell service.

Karen mentioned that we have had a birthday party and Yoga classes so far at the Community Building. We have also

**UNION CITY COMMISSION
MINUTES – Monday, February 1, 2010
PAGE 4**

had several requests for use of the building. Mayor Kirby mentioned seeing some decorations of how the rental hall would look. We have also received a HOA that will be using the hall. Also we have a request for an overnight use of the building by a group of boy scouts. This had to be rescheduled due to weather.

Karen mentioned a request for rental of the building for knothole indoor practice. The people who have requested the building said the balls being used were soft. The practice would be for 2 hours on Sunday until the weather gets warmer. Mayor Kirby said to go ahead as long as we receive the required paperwork and insurance forms.

Karen received a request to reserve the community building on February 20. the requests are to serve alcohol on site. Attorney Voss said that we would need to put a rider on the contract to serve alcohol.

Karen recommended that some money needs to be put into Porter Hall to make it more appealing. We need new flooring and new cabinets, also the need for a new refrigerator.

Community Events

The event from January was partnered with Perfect North. We will be selling the tickets through the end of the season. There has been a great turnout for this event.

Our Event that is scheduled for February is Union Night at the Florence Fundome. This is scheduled for Thursday,

February 25th from 6:30-8:30. The normal admission price is \$4.50 plus \$1.75 skate rental. For the fundraiser the price for admission would be \$3.25 ate the door and skate rental of \$1.75. For any admissions over 100 people the city would receive \$1.00 per person.

Additional Events for 2010 – The parks dept. likes the location and would like to have a movie night every Friday night in June. Karen is negotiating with David Whitehouse to determine if the city will do all four Fridays or not. There are some conflicts that may affect this decision. Karen will talk with Mr. Barlow to determine if we can use his field.

Karen mentioned two other events that are in planning stages. The first would be on March 27th which would be a pancake breakfast/Easter Egg hunt. The cost would be around \$200-\$400. Mayor Kirby said to go ahead and do it. The second is a June 19th beach blast event. Mayor Kirby asked if there was anything that we can see on the website of Lewisville, North Carolina. The event is selling of tailgate spots- those buying can bring their pop-up tents, grills, food and drinks (including alcohol). The alcohol must be in the tailgate area. We would have to bring in sand. The cost could be around \$6,000.00 but this is a rain or shine event. The tailgate spots are sold at \$100.00 each. Mayor Kirby would like to get more detail.

Karen is looking into a 4th of July celebration. The parks department currently does not do one since the have an agreement with the City of Florence. The approximate cost is \$7,500.00 to \$10,000.00. The parks department is checking to see when Florence will be having there celebration. More details will be

The Volunteer Committee will meet on Thursday January 14th. They will be working on the event calendar for the remainder of the year and will be taking down holiday decorations. Also talked about new events.

They met again on January 27th and discussed guidelines and to form committee chairs. The following members have accepted the following for a period of two years.

- Volunteer Committee Chair – Laura Gorman
- Volunteer Committee Co-Chair – Jim Longano
- Volunteer Committee Secretary – Sarah Rodgers
- Volunteer Coordinator – John Peltz

Also there is a new member to the volunteer committee. Mr. Chris Beebe has offered to assist the city with signage for our events.

On the Town Center Plan, Karen has had several meetings with Kevin Costello and Dave Geohegan following up on the recommendations of the Pizzuti Report. Karen had contact with several property owners and has invited them to a

**UNION CITY COMMISSION
MINUTES – Monday, February 1, 2010
PAGE 5**

property owners meeting that will be scheduled this month.

The Community theater will put on a production of “The Wizard of Oz”. The tentative date for this is in August. More details to come.

NEW BUSINESS:

Verbal resolution of **Resolution NO. 2010-001** – **STORM WATER TRANSFER AGREEMENT**. Commissioner Mefford made a motion to accept, Commissioner Sayers seconded. **Motion carried.**

ANNOUNCEMENTS:

Next City Commission Meeting: Monday, March 1, 2010 @ 7:00 p.m.

EXECUTIVE SESSION:

ADJOURNMENT:

No further business came before the Commission. Commissioner Adams moved to adjourn the meeting at 8:59 p.m. Commissioner Kelly seconded the motion. **Motion carried.**

Signed this 1st day of March 2010

APPROVED:

ATTEST:

Don Kirby, Mayor

Kathy Porter, City Clerk/Treasurer